

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 10, 2019

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Nathaniel Jameco Brown

Case Number: 0980 2:10CR00144-EFS-1

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: September 20, 2011

Original Offense: Felon in Possession of a Firearm and Ammunition, 18 U.S.C. § 922

Original Sentence: Prison - 96 months
TSR - 48 months

Type of Supervision: Supervised Release

Revocation Sentence: Prison: 12 months
06/14/2018 TSR - 48 months

Asst. U.S. Attorney: Tyler Howard Louis Tornabene

Date Supervision Commenced: February 12, 2019

Defense Attorney: Colin G. Prince

Date Supervision Expires: February 11, 2023

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 06/24/2019, 07/03/2019, 07/18/2019 and 07/31/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #8: You must complete a mental health evaluation and follow any treatment recommendations of the evaluating professional which do not require forced or psychotropic medication and/or inpatient confinement, absent further order of the Court. You must allow reciprocal release of information between the supervising officer and treatment provider. You must contribute to the cost of treatment according to your ability to pay.

Supporting Evidence: Mr. Brown was in direct violation of special condition number 8 by failing to report for his mental health appointment, which was set for August 27, 2019.

During the hearing on July 23, 2019, Mr. Brown indicated he would like to have mental health services, and the Court ordered the mental health condition to be added to the offender's conditions of supervised release.

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On August 13, 2019, Mr. Brown was evaluated by mental health professional Robert Shepard. The treatment recommendation was for Mr. Brown to attend two meetings each month. The next scheduled meeting was set for August 27, 2019.

On August 27, 2019, the undersigned officer called Mr. Shepard to verify if Mr. Brown attended his first scheduled treatment session. Mr. Shepard confirmed that Mr. Brown failed to call or show up for the appointment.

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Special Condition # 6: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On August 28, 2019, Mr. Brown was in direct violation of special condition number 6 by supplying a urine sample that was positive for marijuana and cocaine.

On February 13, 2019, Nathaniel Brown was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Brown signed his judgment reflecting he understood each condition.

Due to Mr. Brown's lack of communication, he was directed to report to the U.S. Probation Office on August 28, 2019. Mr. Brown was informed that this officer would be obtaining a urine sample and he self-disclosed that he used marijuana on August 26, 2019. This officer thanked Mr. Brown for his honesty, but he was informed that this officer would still be collecting a urine sample.

Mr. Brown supplied the urine sample and he was also positive for cocaine. The offender stated, "yeah, I did that too." He self-disclosed he also used cocaine on August 26, 2019, after he submitted the urine sample. He signed a drug use admission form for both marijuana and cocaine use.

On August 30, 2019, Mr. Brown submitted a urine sample at Pioneer Human Services that tested positive for marijuana.

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Special Condition # 6: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

On September 4, 2019, Mr. Brown was in direct violation of special condition number 6 by failing to submit a urine sample for Pioneer Human Services.

On February 13, 2019, Nathaniel Brown was given a copy of his judgment and his conditions of supervision were explained to him. Mr. Brown signed his judgment reflecting he understood each condition.

Due to Mr. Brown's continued drug use, he has been directed to call Pioneer Human Services each day and listen for the color Brown 1. If the color Brown 1 is called, he is to report between the hours of 7 a.m. and 7 p.m.

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On September 4, 2019, the color Brown 1 was called and Mr. Brown failed to supply a urine sample as directed.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/06/2019

s/Joshua D. Schull

Joshua D. Schull
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

September 9, 2019

Date